

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg
Serial No.: 10/613,228
Confirmation No.: 4680
Filed: July 3, 2003
For: NUCLEIC ACID COMPOSITIONS FOR STIMULATING IMMUNE
RESPONSES
Examiner: N. M. Minnifield
Art Unit: 1645

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).

Dated: 11.20.2008.


Tricia A. Troup

RESPONSE TO SPECIES ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Species Election Requirement mailed August 20, 2008, Applicant hereby requests entry of the following election.

ELECTION

Applicant hereby elects melanoma as a species of cancer as recited in claim 94. Of the rejoined method claims, this election embraces at least claims 45, 46, 53, 54, 57, 63, 70-73, 76-80, 83, 84, 88, 89, 94, 95 and 97, with claims 1-5, 8-20, 22, 27-32, 43 and 99 being allowable.

It is Applicant's understanding that upon the allowance of a generic method claim, Applicant will be entitled to consideration of claims to the non-elected species that are written in dependent form or otherwise include all the limitations of an allowed generic method claim as provided by 37 CFR 1.146.